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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/061,721	02/01/2002	Uzi Khill	3394P011	1572

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EXAMINER

PARK, JUNG H

ART UNIT PAPER NUMBER

2661

DATE MAILED: 01/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/061,721

Applicant(s)

KHILL, UZI

Examiner

Jung Park

Art Unit

2661

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,4-6,8,9,12-14 and 16 is/are rejected.
- 7) ☒ Claim(s) 2,3,7,10,11 and 15 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____.  |

## DETAILED ACTION

### *Specification*

1. The disclosure is objected to because of the following informalities:

There are many errors in the specification. For examples, applicant says "Section 6.6" in page 2, line 4 and "Section 7.9, at page 42" in page 2, but there are no such sections and pages in the specification.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 4-6, 8, 9, 12-14, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Khansari et al. (U.S. 6,446,131, "Khansari") in view of IEEE 802.1D standard (Part3:Media Access Control (MAC) Bridges, ANSI/IEEE Std 802.1D, 1998 Edition; see IDS, hereinafter "the Standard").

Regarding claims 1 and 9, Khansari teaches, "a method for budgeted learning of link information in a network, comprising: - providing a database (*filtering DB 56 fig.5*) to contain the link information (*fig.6; col.6, ln.12-15*), for use by an entity (*bridge 12 fig.2b*) connected to the network (*10 fig.2b*) in transferring traffic over the network (*from 26 to 24 fig.2b*)."

Khansari teaches a learning process in figure 7 (described in col.6, line 36- col.7, line 11), but fails to teach the method of setting a maximum rate for addition of entries to the database; and adding the new entry to the database only if the addition of the entries during the learning period has not exceeded the maximum rate.

However, the Standard teaches, “-setting a maximum rate (*page 262, section 16.1(e) where configured (setting) Guaranteed Port Filtering Rate*) for addition of entries to the database (*see section 16.1 where it is required to add entries into the filtering DB for forwarding process*); responsive to the traffic on the network during a learning period (*time interval  $T_F$* ), determining a new entry to be added to the database (*see section 16.1(a) where...the number of frames in the set does not exceed the specific filtering rate...*); and

- adding the new entry to the database only if the addition of the entries during the learning period has not exceeded the maximum rate (*see section 16.1(a) where...the number of frames in the set does not exceed the specific filtering rate...*).”

Therefore, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to apply the Guaranteed Port Filtering Rate for setting and adding steps taught by the Standard into the method for learning of link information disclosed by Khansari. The motivation of applying the Guaranteed Port Filtering Rate is to manage the size of filtering database based on the value of the maximum rate in order to prevent exploding of the filtering database with irrelevant entries (*see page 42, section 7.8 in the Standard*).

Regarding claims 4 and 12, Khansari further discloses the entity comprising a bridge (12 fig.2b), and wherein providing the database comprising building a filtering database (56 fig.5) for use by the bridge.

Regarding claims 5 and 13, Khansari further teaches the bridge serving a plurality of communication domains (col.9, ln.11-15).

Regarding claims 6 and 14, Khansari further discloses the bridge comprising a MAC bridge (col.9, ln.11-13 where for physical connectivity, it is required to have a MAC bridge), and wherein the domains comprising VLAN domains (col.9, ln.11-15 virtual LAN).

Regarding claims 8 and 16, Khansari further discloses the determining the new entry comprising receiving a data packet having a source address that does not appear in the database, and generating the new entry responsive to the source address (learning process in fig.7; col.6, ln.36-49).

***Allowable Subject Matter***

4. Claims 2, 3, 7, 10, 11, and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

**Conclusion**

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jung Park whose telephone number is 571-272-8565. The examiner can normally be reached on Mon-Fri during 7:10-4:40.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen can be reached on 571-272-3126. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JP  
Jung Park  
Patent Examiner  
Art Unit 2661  
January 4, 2006



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